

REMARKS

The Notice of Non-Responsive Amendment indicates that Applicants' January 29, 2010 Amendment was non-responsive because it deleted elected species A1 of S Block. Applicants respectfully disagree that the elected species was deleted.

On October 13, 2006, the Examiner issued a first Election Requirement between species A1 and species A2. On November 13, 2006, Applicants filed a first response in which species A1 was elected. It is apparently this first response to which the Examiner refers in the Notice of Non-Response Amendment. However, in electing between species A1 and A2, Applicants selected A1 because A2 required a homopolymer block H. The block copolymers currently recited in the claims are fully consistent with the election of species A1.

On March 19, 2007, the Examiner issued a second Election Requirement. The Examiner stated that "since claim 6 recites various copolymer species, including restricted species S-H (claim 5), additional species election in Category A becomes necessary." On April 19, 2007, in a second response, Applicants elected the copolymer represented by formula (6), that is, H-S-H. The second Election Requirement and second response clarify the meaning of Applicants' first response. Specifically, Applicants elect H-S-H.

The amended claims clearly include the elected species H-S-H. Accordingly, Applicants respectfully disagree with the Examiner's assertion that the amended claims delete the elected species.

Applicants submit that the January 29, 2010 Amendment was proper. During a brief discussion with the Examiner on June 23, 2010, the Examiner seemed to agree. An Office Action on the merits is respectfully requested.

If there are any questions regarding this response, such questions can be addressed by telephone to the undersigned.

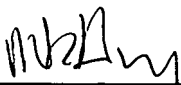
Serial No. 10/549,618

If there are any additional fees associated with filing of this response, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: July 13 2010

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